

5 Cent Package

HAVANA CIGARETTES
SOMETHING NEW
David Lawrence & Co.
LIMITED.

5 Cent Package

Ivory Carvings
From Vienna.

Of Surpassing Beauty.

We expected them to be fine, but did not anticipate such artistic perfection.

YOU

have probably noticed a few pieces in the window, and will agree that every one is perfect in execution, and the subjects well chosen.

For pieces of such perfection, the prices are not high, ranging from about Ten Dollars up to Thirty.

We are also showing this week the

Vienna Miniatures on Porcelain,

mounted in pretty bronze frames, the whole being perfect in execution, and well worthy a space in your cabinet.

These pieces are exceedingly modest in price, costing only Five, Six and Seven Dollars each.

H. F. WISHMAN,
FORT STREET.

AT The Orpheum

ERNEST HOGAN

AND HIS FUNNY FOLKS IN A FUNNY FARCE TONIGHT.

HOGAN AT HIMSELF AGAIN.

HAVE YOU SEEN RAY TRUSTY? DID YOU SEE DEAS & ROBINSON?

HAVE YOU SEEN WISE & MILTON?

HAVE YOU SEEN THE WONDERFUL CARTER BROTHERS?

HAVE YOU HEARD THE GREAT PLATO?

The Southern Songbird with a trill equal to Patti's, and a high note equal to Yaw's.

ALL OF THESE GREAT BLACK ARTISTS ARE AT THE ORPHEUM

To-Night! To-Night!

HOGAN AND HIS GRAND NEGRO COMPANY.

Popular Prices.

Half-tone and zinc cuts made at the Gazette office. If you have a good photograph you may be sure of a good cut.

MUST NOT INFRINGE

Restraining Order For Hackfeld Wharf.

ONLY AFFECTS THE APPROACH

Judge Estee Defines Harbor Rights as Laid Out by Secretary of War.

Judge Estee yesterday granted the temporary injunction prayed for by the Oahu Railway & Land Company restraining Supt. Boyd and Cotton Brothers from further work on the new Hackfeld wharf approach. The hearing for a permanent injunction will come up Saturday morning, and in the meantime the defendants are not permitted to do any further work upon the approaches to the wharf. As to the wharf proper, the injunction does not lie as long as the contractors keep on territorial ground, and do not infringe upon the harbor lines as delineated by the Secretary of War. Inasmuch as the approach was completed before the injunction papers were served, the restraining order will be of little value, as it has been the intention of the Public Works Department to remove this approach as soon as the approach to be built at the lumber yard is completed. Such was the statement of Mr. Boyd but Mr. Hatch, who appeared for the complainants was inclined to be skeptical.

He did not believe that the contractors were driving eighty foot piling with copper sheathing with any intention of removing them again.

Deputy Attorney General Cathcart and A. G. M. Robertson appeared in behalf of Supt. Boyd and Cotton Bros. and filed affidavits from both of the defendants. The affidavit of Contractor Cotton differed from that of Mr. Boyd in that it related that the work was completed before he had been served with the notice of the suit.

Supt. Boyd in his affidavit alleges:

TEMPORARY INJUNCTION.
Now comes James H. Boyd, Superintendent of Public Works for the Territory of Hawaii, and for cause why the temporary injunction prayed for by the said complainant should not be issued, shows as follows:

That he is the duly qualified and acting Superintendent of Public Works for the Territory of Hawaii; that sometime prior to the filing of the complaint here in his aforesaid official capacity, this defendant made arrangements with Cotton Brothers and Company, defendants herein, to erect a public wharf near the northern portion of the Harbor of Honolulu, near the property of the Oahu Railway and Land Company, and within the harbor line alleged to have been established by the Secretary of War; that according to the plans for said wharf the same was to have no connection with the shore for the immediate present, although it was the intention of this defendant to ultimately extend the same to the shore,

BARGAINS

PIANOS

1 Steinway,
Upright, \$250 00

1 Westermayer,
Upright, \$150 00

1 Rosner \$80.00

1 Sasse nhoff, \$45 00

These are second-hand Pianos and in good condition.

BERNSTROM MUSIC CO.

ST. ANDREW'S BALL.

THE SCOTTISH THISTLE CLUB will hold a ball in Progress Hall on November 29th (St. Andrew's Eve), at 8 p. m.

PIPER R. McDONALD MURRAY will give an exhibition of Highland dancing and harp playing in full Highland costume.

Tickets, \$1.50; can be had from members of the club. 6022

connecting with a public road running along the property of said complainant; that said wharf has not yet been completed; that the early completion of said wharf is necessary for the accommodation of the commerce of said harbor, and that it is the intention of this defendant to extend the same so as to connect with the shore at said public road as soon as possible after the completion of so much of said wharf as is necessary for immediate use.

That the bridge or wharf referred to in plaintiff's complaint is a temporary approach leading from Queen street, a public highway, up to the line of the said proposed wharf, and is necessary for use in the convenient construction of said wharf as in the use of said wharf for commerce, pending connection of said wharf with the shore aforesaid.

That at the time plaintiff's complaint herein was filed this defendant was absent from Honolulu, being on the island of Hawaii; that he returned to Honolulu on the morning of this 26th day of November, 1901. That the said bridge or approach, the construction of which plaintiff seeks to enjoin, was substantially completed prior to the defendant's return to Honolulu, the same having been completed and ready for use for the purposes for which it was constructed.

This defendant further shows that said bridge or approach has been constructed over shallow water, about 30 feet distant from the line of complainant's property; that the water intervening between complainant's said property and said bridge or approach is navigable only by small vessels such as scows and rowboats; that the navigation of Honolulu Harbor underneath and shoreward from said bridge or approach is not obstructed by the erection thereof inasmuch as the piers which support said approach are about fifteen feet apart, and therefore permit of the passage to and fro of such small craft; that the erection of such bridge or approach would cause such obstruction to navigation in said harbor.

That said complainant has had and still has easy and clear access from its said land to said harbor for ocean going vessels as well as small craft, and said bridge or approach has no causal and will not cause said complainant any loss or injury.

Judge Estee was inclined to allow the petition for temporary injunction, and the defendants did not contest this very strenuously as the work which the injunction was to restrain has already been completed.

"There is no denial here that the wharf is within the lines delineated by the Secretary of War," said Judge Estee. "If the Superintendent of the Public Works has gone within those lines, there is nothing for the court to do but grant the injunction. As the court understands it, any obstruction within the harbor lines is a trespass, and no citizen can infringe upon the order of the Secretary of War."

Mr. Robertson contended that no individual could seek redress in injunction, unless specific damage was shown, and that the only way such order should issue was upon the application of the Attorney General of the United States. His statement that there was no need of a temporary injunction, as the work which plaintiff sought to stop had already been accomplished.

"If it is admitted that the Secretary of War has the right to fix the harbor limits," said the court, "and that he has fixed such limits neither the Territory or any citizen has a right to infringe on commerce by the obstruction of the harbor in any manner. If it is true that defendant has cut off the harbor, there is no question about it being wrong."

"We admit that this approach has been built," replied Mr. Robertson, "but contend that this complainant has no standing in this court. To do the construction of the wharf special damages must be shown, apart from that done the public."

"No showing has been made against the issuance of this injunction," replied Mr. Hatch. "They say that the approach is only temporary, thereby admitting that they have no right of law to be there, even if our only access to deep water is by small boats, there is yet a showing of damage. An individual is not compelled to wait until the Federal authorities act, before injury to it can be stopped. Particularly is this so, because of our isolated position."

The court apparently favoring the issuance of a temporary restraining order, Mr. Robertson called attention to the demurrer filed by him last week, and asked leave to argue it. In the demurrer to the petition it is alleged:

1. That it appears in and by said bill that said plaintiff has not stated such a cause as entitles it to the relief therein prayed for, nor any relief from or against these defendants.

2. That enough does not appear upon the face of said bill to show the jurisdiction of this honorable court of the suit, by reason of any alleged injury to said plaintiff or by reason of any Federal question being involved.

Mr. Robertson also called attention to the fact that the complainant did not allege the necessary amount of damage, \$2,000, to be entitled to a hearing in the United States court. Mr. Hatch followed and had not concluded his argument when the court announced that no further showing was necessary. He issued a temporary injunction and set the hearing for a permanent order for Saturday morning. The plaintiff gave bond in the sum of \$1,500. Judge Estee in issuing the order stated that no one had a right to infringe on the harbor as delineated by the Secretary of War.

The work on the wharf proper will not be stopped because of the temporary injunction, as the suit has to do only with the building of the Queen street approach.

TONY AFONG KILLS TWO CHINAMEN

Tony Afong, son of Mrs. Julia Afong of this city, who is at present living with Mr. Afong in China, was forced to flee from Macao to Hongkong, where he and his father were under the protection of the American consul when the steamer left that port. Dr. Kinyoun, of San Francisco, who has been in China, states that Tony killed two Chinese surrounding Macao, who are hard pressed during the present stage of hard times, menaced his life.

The aims which Mr. Afong has been in the habit of directing at the poor Chinese were thought insufficient by them this year, and they attempted to force Mr. Afong to give more. They were kept out of the premises, but with reinforcements entrance was made, whereupon Tony used a shotgun with deadly effect on two of them. Such contributions as soon as received shall be placed in the hands of trustees, to be expended by them in carrying out the purposes above named.

PACIFIC IMPORT CO.

French Flannelette Sale.
French Flannelettes.

7c Per Yard French Flannelettes. **7c Per Yard** French Flannelettes.

Immense lot of the Very Latest Designs in French Flannelettes just placed on sale. We made an unusually good buy when we bought this lot which consists of five cases of 130 different styles and take this chance of giving you a big bargain.

The goods are as perfect as any we have ever seen. Examine every yard as closely as you please. Buy only when thoroughly convinced that you are getting more than your money's worth.

We show over 60 different stripes alone, and have tiny checks large checks, Scotch plaids, patterns in dark, medium and light shades; plain shades in cream, white, pink, grey, blue and garnet.

These Flannelettes will make hand-ome waists, wrappers, kimonos, holokus, house dresses and children's garments

Three Qualities at 7c, 10c, 12½c per yd.

Sateene Underskirts.

Ladies' black sateene underskirts, all in latest effects, from \$1 to \$2.75.

Some New Goods:

Rich novelties in Ladies' Neckwear, Ladies' Fancy Hosiery, including Lisle Hose, black, white and tan.

The very latest effects in polka dots.

PACIFIC IMPORT CO.

PROGRESS BLOCK, FORT STREET

BOULEVARD FROM CITY TO PARK

(Continued from page 1.)

feel certain that those who take pleasure in riding bicycles or driving horses would be willing to contribute this much toward securing the boulevard. In fact, it has been suggested that ladies who drive form an auxiliary club and help the matter along. There are a large number of ladies in Honolulu who are experienced horsewomen and there is no reason why they should not take an interest in the matter. I am told there are 7,000 bicycles being ridden in Honolulu and perhaps about half as many horses being driven. Surely from all these ample support should be secured.

"Another suggestion which has been handed in to us is that the school children take a hand in the matter by planting many of the trees, in honor of their Arbor Day.

"The boulevard proposition was outlined in a conversation between Ned Macfarlane, Robert Shingle, Mr. Eakin and a number of others who are fond of horseflesh, and Macfarlane suggested that an attempt be made to construct a drive straight out to Diamond Head by way of Kapiolani Park. The suggestion was snapped up at once, and is meeting with favor wherever mentioned amongst the business men."

The agreement which is now being circulated and signed, is in the hands of R. W. Shingle, at the office of Henry Waterhouse & Co., and is as follows:

HONOLULU BOULEVARD AND IMPROVEMENT COMPANY—SUBSCRIPTION LIST.

Honolulu, H. I., Nov., 1901.
We, the undersigned, hereby unite and associate ourselves together as a club for the purposes and upon the terms below set forth, to which we hereby agree:

The object of the association is to raise money by contributions and by soliciting subscriptions for the purpose of constructing a boulevard from some central point in Honolulu to Kapiolani Park, and in obtaining rights of way and filling, grading, macadamizing or asphaltizing the same or portions thereof, and in constructing such bridges and culverts and doing such work as may be deemed advisable. Such boulevard to be of sufficient width to provide separate ways for carriages, bicycles and pedestrians, and to have at least six rows of trees, and to be embellished, beautified and kept up in the most attractive and substantial manner possible, and also, to engage in such other undertakings for the improvement of Honolulu as may be thought advisable, and also, to assist in suppressing nuisances and in improving the sanitary conditions of the city; and also, to transact all such business as may be done incidentally in carrying out said purposes and in managing the affairs of the club.

The officers of the club shall consist of a president, one or more vice presidents up to ten, a secretary, a treasurer, an executive committee of seven members, and such other committees as shall be appointed to have in charge the various branches of club work. Members shall contribute \$1 per month for the term of twenty-five months. Honorary members shall pay in \$100 on joining the club, and shall not be subject to further assessments.

All funds collected from the public for the purposes above set out shall be kept separate from the funds of the club. Such contributions as soon as received shall be placed in the hands of trustees, to be expended by them in carrying out the purposes above named.

The boulevard and other works carried out by the club shall be dedicated to the public.

By-laws may be adopted adding to or modifying the foregoing provisions. The club shall continue for a term of five years.

N. W. Griswold, 31 Campbell block \$25.00
George W. Hayselden, office, Pa-waa tract 25.00
J. J. Egan, office, Love building 25.00
R. M. Shingle, Henry Waterhouse & Co. 25.00
L. A. Thurston, Stangenwald building 25.00
Elmer E. Paxton, Stangenwald building 25.00
W. F. Dillingham, Stangenwald building 25.00
Charles F. Grimwood, Judd building 25.00
A. F. Cooke, McIntyre building 25.00
A. N. Campbell, W. R. Castle's office 25.00
H. T. Hayselden, David Lawrence & Co., Ltd. 25.00
David Lawrence, David Lawrence & Co., Ltd. 25.00
Clinton J. Hutchins, The Pacific Mutual Life Insurance Co. 25.00
James W. Harvey, E. O. Hall & Son 25.00
Garret R. Gray, 30 Campbell block 25.00
J. M. Monsarrat, 20-21 Campbell block 25.00
Allan W. Judd, 307 Stangenwald building 25.00
Charles T. Wilder, Kaahumanu street 25.00
F. Amweg, 503 Stangenwald building 25.00
W. C. Achi, 18-19 Campbell block. 25.00

Q. H. Berrey, room 8, Campbell building 25.00
E. C. Macfarlane, 21 Kaahumanu street 25.00
F. W. McChesney, Queen street 25.00
I. S. Dillingham Jr., Pacific Hardware Company 25.00
L. E. Pinkham, Pacific Hardware Company 25.00
J. D. McInerney, at M. McInerney's 25.00
W. M. Cunningham, College street 25.00
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W. R. Castle Jr., 507 Stangenwald building 25.00
F. Halstead, Halstead & Co. 25.00
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C. H. Bellina, Club Stables, Ltd. 25.00
John W. McDonald, City Shoeing Shop 25.00
Alfred C. Wall, Love building 25.00
C. J. Ludwigen, Elite building 25.00
Frank B. Auerbach, Boston building 25.00
Dr. C. L. Garvin, 232 Beretania street 25.00
Robert W. Anderson, 1087 Alakea street 25.00
M. E. Grossman, Alakea street 25.00
W. W. Dimond, W. W. Dimond & Co., Ltd. 25.00
P. M. Hatch, Stangenwald building 25.00
Charles H. Atherton, Castle & Cooke, Ltd. 25.00
W. W. Wright, South and King streets 25.00
S. Decker, South and King streets 25.00
William Fernandez, South and King streets 25.00
John H. Soper, Merchant street 25.00
A. W. Pearson, Gazette Company 25.00



DO YOU WANT TO BE STRONG?

To feel as vigorous as you were before you wasted your strength? To enjoy life again? To get up in the morning refreshed by sleep and not more tired than when you went to bed? To have no weakness in the back or "come and go" pains? No indigestion or Constipation? To know that your strength is not slipping away? To once more have bright eyes, healthy color in your cheeks, and be confident that what other men can do is not impossible to you? In short, do you want to be a man among men?

Dr. McLaughlin's Electric Belt.

There is nothing so penetrating, nothing so invigorating, nothing that will relieve weakness and pain as speedily and surely as Dr. McLaughlin's Electric Belt. It is simple, but grand. It assists nature by a general reinforcement of the vital energy by infusing a mild, invigorating current of Electricity into the nerves and by supplying the system with the very essence of nerve vigor and nerve strength.

Lame Back and Vital Weakness.

DR. McLAUGHLIN—Dear Sir: Your electric belt has done for me all you have claimed it would, and has improved me to such an extent that I am now able to do a hard day's work, something I was incapable of before commencing your treatment. I rest well at night and my general health is better than ever. You can refer to me, and it will give me great pleasure to speak of the merits of your treatment. Very truly,
E. R. HOUSTON, Armona, Cal.

Call and see it, or send for my free book telling about it.

Dr. M. G. McLaughlin, 702 Market St., Cor. Kearny, San Francisco.

OFFICE HOURS—8 a. m. to 8:30 p. m.; Sundays, 10 to 1.